

CITY PLANNING COMMISSION  
Austin, Texas  
Regular Meeting -- November 27, 1979

The Regular Meeting of the City Planning Commission was called to order at 5:45 p.m. in the City Council Chambers.

Present

Bill Stoll, Acting as Chairman  
Leo Danze  
Sid Jagger  
Mary Ethel Schechter  
Sally Shipman  
Bernard Snyder  
Jim Vier

Also Present

Richard Lillie, Director of Planning  
Joe Ternus, Director of Urban Transportation  
Sheila Finneran, Legal Department  
Helen Fermin, Administrative Aide  
Walt Darbyshire, Planner III

Absent

Miguel Guerrero  
Freddie Dixon

Planning Commission--Austin, Texas

November 27, 1979

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C14-79-208      Wayne Laymon  
                   (by Pat Lawrence)  
                   13441 Ranch Road 620  
                   (Approval of Site Plan)

Mr. Lillie discussed the zoning case and explained that the City Council had granted "O" Office and "LR" Local Retail for the sign only. The zoning was conditioned on the 183 recommendations that a site plan would be approved by the Planning Commission. He explained that the site plan as submitted is for an existing use and does not fully comply with the 183 performance standards. The proposed sign should conform to the sign performance standards as outlined in the U.S. 183 study. This, basically, would accept what is there and the location of the sign. He suggested detail be obtained regarding the landscaping between the building and the front property line.

#### COMMISSION VOTE

Mr. Vier moved, Mrs. Shipman seconded the motion to approve subject to sign standards in the 183 study and subject to landscaping being shown on the site plan.

AYE:            Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
 ABSENT:        Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 7-0.

C14p-79-050      Captial City Oil Company: Use of Existing Building for  
                   (by Kirk Kuykendall                    Auto Repair Garage  
                   and Duncan Hall)  
                   2915 South First Street

C11-79-009      Transit and Transportation  
                   Determination of number of parking  
                   spaces for a proposed auto repair  
                   establishment at 2915 South First  
                   Street

Richard Lillie explained the two items were continued from the November 7th meeting to have several issues responded to by the applicant in his request for an auto repair garage and the determination of the number of needed parking spaces for that facility. The neighborhood association has requested that this item be postponed to another date.

#### PERSONS APPEARING

Kirk Kuykendall, representing applicant  
 William Green, South Austin Neighborhood Advisory Board

C14p-79-050 and C11-79-009 (continued)

## COMMISSION ACTION

Kirk Kuykendall, representing applicant, explained the hearing had been continued since he lacked authority to commit the client. There was discussion of the shrubbery and landscaping on Powell Street, and consideration be given to closing the drive through the special permit process. Mr. Kuykendall now expressed agreement to both concerns and requested the application be granted. There was discussion of all the vehicles on the tract being locked and also regarding trash and debris. Mrs. Shipman pointed out that even with a special permit, junked or inoperable vehicles cannot remain on the site. It was pointed out that the site plan must be provided as had been requested. Mr. Jagger asked Ms. Finneran how the special permit could be revoked if the use continued to be in violation of the ordinance. Mr. Jagger felt there should be some permanent action taken and that the neighbors not be in a position to call "once a week." Ms. Finneran explained that violation of the special permit requirements would be prosecution in Municipal Court at the initial stages and that in order for the City to be an applicant, it must be upon instruction of the Planning Commission or of the City Council. Mr. Jagger stated he is trying to impress on the applicant, that if this is granted, it is meant to be complied with in all conditions. There was discussion of the drainage and how waste would be handled. Mr. Jagger pointed out the things that were requested and had not been provided, such as a site plan showing the landscaping, the driveway off Powell Street being closed and how it will be closed permanently, industrial waste discharge permit information. Mrs. Shipman emphasized this is a permit for an auto repair place which is a more intensive zoning across from an elementary school and adjoining a residential neighborhood that happens to be a busy street. The Commission feels it should be totally oriented to the busy street, the major thoroughfare, and the conditions of the special permit must be met in a very positive, straightforward manner before the permit is granted.

William Green, representing the South Austin Neighborhood Advisory Board, read a letter addressed to the Planning Commission in opposition to the request. He referred to the South Austin Master Plan, discussed the problem of traffic, fire safety, and neighborhood integrity, and requested the application be denied. He pointed out this had been pending since May, nothing has changed, and felt that was ample time for the applicant to have complied with the necessary requests.

## COMMISSION VOTE

Mrs. Schechter moved the requests be postponed to Tuesday, December 11, at 6 p.m., and pointed out that applicant knows what is expected of him, the site plan, industrial waste information, driveway barrier, landscaping, and a notation on the special permit that inoperable, wrecked, or dismantled vehicles will not be stored on this site, and that cars will not be parked on the sidewalk. The letter from the neighborhood association is to be included in the packet to the Commission for the hearing on December 11. Mr. Danze seconded the motion.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
 ABSENT: Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 7-0.

C7p-78-002      Sale of City Property

Consider removing driveway restriction on property located at 1210 Barton Springs Road declared surplus by City Council

Richard Lillie discussed the Planning Commission having heard on November 13 the request to remove driveway restrictions on property located at 1210 Barton Springs Road which had been declared surplus by the City Council. The Commission had requested information from the Property Management Department as well as the Legal Department responding to a question of the value of the tract as originally restricted or with the restriction removed. These departments do not see any difference in the value of the property.

## COMMISSION ACTION

Mr. Jagger discussed that if the restriction is removed, there should not be but one driveway between the two common lots.

## COMMISSION VOTE

Mr. Jagger moved that the original restriction be amended to provide that there only be one driveway for the two combined lots from the railroad right-of-way to Lee Barton Drive. Mrs. Schechter seconded the motion.

AYE: Danze, Jagger, Schechter, Shipman, Stoll, and Vier.  
ABSENT: Dixon, Guerrero, and Snyder.

THE MOTION PASSED BY A VOTE OF 6-0.

C2o-79-016      Zoning Ordinance

To consider amending Chapter 45 of the Austin City Code, Zoning Ordinance, regarding multi-family development in "O" Office and more permissive zoning districts.

Richard Lillie explained an emergency item had been posted for discussion only. Mrs. Schechter moved and the motion was seconded and unanimously passed to consider the emergency item.

Mrs. Schechter explained that she was quite concerned regarding the number of zoning cases that the Planning Commission had been receiving consisting of large tracts of land with the request for "O" Office or such. Later they are coming in with a request for large apartment complexes on portions of these large tracts, many of which come in with a special permit. She requested the Legal Department draft an ordinance that any apartment complex first come in under the proper zoning and to leave the "O" Office and more permissive zoning districts for what

C2o-79-016 Zoning Ordinance (continued)

they are really specified. Apartments should be put where they belong and the zoning maps so indicate. The Great Hills area was used as an example. Mr. Lillie discussed the character of the ordinance being cumulative from the most restrictive to the most permissive and the need for language to be built into the ordinance that would eliminate that cumulative nature, specifically regarding multi-family housing.

Mr. Jagger was of the opinion that this was not something that could be done quickly; it needed a lot of thought and study. There might be other processes to accomplish the same thing, and maybe better. He suggested special criteria for special permits and not create a lot of zoning requests. Mrs. Shipman pointed out that a special permit is very hard to deny. There was discussion of the concentration of apartments, as well as how they might be mixed throughout neighborhoods. Mrs. Schechter explained that what she really was requesting is that if an applicant is coming in with something they come in and ask for the proper zoning. She asked what could be done. There was discussion of what is considered a desirable project, and the problem of having to rezone to a higher use district. Mr. Lillie stated the staff would look into the matter, but stated there are some pretty stout implications and discussed individuals who had purchased property with "O", "LR", or "GR", in respect to the cumulative nature of the ordinance and the broader market that the more permissive zoning permits.

## COMMISSION VOTE

Mr. Snyder moved and Mr. Danze seconded the motion for staff to consider amending Chapter 45 of the Austin City Code, Zoning Ordinance, regarding multi-family development in "O" Office and more permissive zoning districts.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
ABSENT: Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 7-0.

C2o-79-01<sup>3</sup>8 Zoning Ordinance  
Consider amendment to Sec. 45-51(d) of the Austin City Code, Zoning Ordinance, regarding repeal of Landmark Commission action on demolition and/or removal.

Sheila Finneran of the City Legal Department discussed amendments to the Zoning Ordinance relating to the historic zoning portion of Chapter 45. Ms. Finneran discussed the need for a procedural amendment which arose during the various hearings on the Woodburn House when it was discovered that as written the ordinance could require the City Council to hold more than one public hearing on the same historic landmark, depending on

C20-79-012 Zoning Ordinance (continued)

certain conditions. She explained the draft ordinance the Landmark Commission is recommending would clear up the problem of requiring the City Council to hold more than one appeal hearing. The time limits will remain the same. Another proposed change, the need for which arose during the Woodburn House proceedings, would provide a definition for an "aggrieved person", and would provide that the Council hold only one hearing. There was discussion of an appeal, the procedure to be used, and who should be notified.

## PERSONS APPEARING

Philip Creer, Chairman of the Historic Landmark Commission  
 Dorothy Richter  
 Celeste Kromac, 4016 Duval, Hyde Park Neighborhood Assn.

## COMMISSION ACTION

Philip Creer, chairman of the Historic Landmark Commission, discussed notification of surrounding neighbors prior to any hearing that the Landmark Commission might hold and agreed that these provisions could be a part of the amendment to the ordinance. He discussed the recommendations of the Landmark Commission and stated that to reduce the present appeal period could jeopardize significant historic structures. He also discussed the timeframe for removal and/or demolition of a structure, and pointed out instances where 60 to 90 days was entirely inadequate. He discussed ordinances of other cities and recommended that the time not be reduced.

Dorothy Richter was of the opinion that the notification procedure was very important and that people within 300 feet should be notified and that specific instructions be included regarding the appeal procedure. She also discussed the timeframe for the appeal procedure and was of the opinion that this was a good idea. Celeste Kromac, speaking on behalf of the Hyde Park Neighborhood Association, expressed favor with the recommendations of the Historic Landmark Commission to retain the appeal procedure and also was in favor of the proposed notification procedure.

## COMMISSION ACTION

Mrs. Shipman moved that the Planning Commission support the ordinance as drafted by the Historic Landmark Commission and also to recommend that an application for the demolition and/or removal of any structure zoned historic involve the notification of all property owners within 300 feet. Mrs. Schechter seconded the motion.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
 ABSENT: Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 7-0.

C20-79-014      Zoning Ordinance

Consider amendment to Sec. 45-44 of the Austin City Code, Zoning Ordinance, regarding fees for application by non-owners for historic designation.

Sheila Finneran of the City Legal Department discussed the proposed ordinance to consider requiring a fee for an application for historic zoning by a non-owner of the property as had been requested by Councilmember Ron Mullen. She explained that the Planning Department has recommended a minimum fee of \$100 which is the minimum for any zoning case. There was discussion of the number of historic applications. Betty Baker explained that in 1979 there have been 20 historic cases initiated to date, 11 by the owners, eight by the Landmark Commission, one by a non-owner. In 1978 there were 51 cases, 25 initiated by the Historic Landmark Commission, 15 by owners, 11 by non-owners.

## PERSONS APPEARING

Eugenia Schock, member of Historic Landmark Commission  
 Ina Rae Smith, member of Historic Landmark Commission  
 Philip Creer, Chairman of Historic Landmark Commission  
 Suganne Sauliners, Historic Landmark Commission Member  
 Eva Marie Mosby, Historic Landmark Commission  
 Dorothy Richter

## COMMISSION ACTION

Eugenia Schock, a member of the Historic Landmark Commission, was not in agreement with the proposed fee. Mrs. Schechter pointed out there was no advantage to a non-owner; they merely want to save a piece of property. The owner has the tax advantage. Ina Rae Smith, another member of the Historic Landmark Commission, also was not in agreement to charge a fee.

Mr. Snyder stated it might be feasible to stop the non-owner initiation and expressed resentment for someone coming off the street and requesting someone else's property being zoned historic. He felt the fee should be charged or a member of the Historic Landmark Commission agree to the initiation thereof. Mrs. Shipman discussed the uniqueness of historic zoning and noted that it was for the benefit of the community to preserve anything and did not think that any fee should be charged for the initiation of historic zoning. She felt the preservation of historic structures should be encouraged to the greatest extent possible. Mr. Jagger discussed those cases that were a delaying factor and not of historic significance. Mr. Jagger was of the opinion a fee would create more paper work that it was worth. Philip Creer, chairman of the Historic Landmark Commission, discussed the Historic Landmark Commission had considered the possibility of applying the regular zoning appeal fee, an across-the-board fee that might be less than the ordinary zoning fee, and also to leave the procedure as it is with no fee. He discussed zoning historic structures being quite different from the ordinary zoning request. Ordinary zoning requests are the result of a personal desire to improve property and make a profit. The zoning of historic structures is for the joy and pleasure

C20-79-014 Zoning Ordinance (continued)

of the entire citizenry for generations to come. There was discussion of those structures for historic zoning by persons other than non-owners and persons being apprehensive about historic zoning. It was the opinion of the Historic Landmark Commission that no fee should be charged. He explained how the Landmark Commission could screen applications very carefully and to try to prevent those not worthy being submitted to the Planning Commission and to the City Council.

Suzanne Sauliners, also a member of the Historic Landmark Commission, re-emphasized some of the points that had been made and stated this is discriminatory against persons who are trying to be active in civic neighborhoods groups and the inability to pay the fee. The Landmark Commission is concerned for creating incentives and not disincentives for historic zoning. Historic zoning should be encouraged rather than discouraged. She explained the need for greater citizen participation in zoning and in historic work. Eva Marie Mosby, a member of the Historic Landmark Commission, read a letter from Ada Simond explaining that to charge fees for persons to initiate historic zoning cases who do not own properties would be very arbitrary and discriminatory. It was pointed out that the average property owner, especially in the Black community, has never heard of historic zoning. Mrs. Simond discussed the heritage of east Austin and those structures that she had requested for historic zoning. Dorothy Richter pointed out that the purpose of the ordinance is for the protection, enhancement and preservation and use of historic landmarks is a public necessity and is required in the interest of the culture, prosperity, education, and general welfare of the people. This is not like a regular zoning case. She discussed how it could be an honor for a non-owner to look at a structure and say it needs to be preserved.

Mrs. Schechter moved to uphold the recommendation of the Historic Landmark Commission that no fees be applied to any application for historic zoning. Mr. Danze seconded the motion. Mr. Snyder offered a substitute motion that the Planning Commission uphold the recommendation of the Landmark Commission and that the Planning Commission also recommend that no zoning be initiated by individuals independently of the Landmark Commission. If an individual who does not own property wishes to initiate zoning, he must ask a member of the Landmark Commission to initiate such zoning request. Mr. Vier seconded the substitute motion. The vote to consider the substitute motion failed. The Commission then voted on the original motion.

AYE: Danze, Jagger, Schechter, Shipman, and Stoll.  
NAY: Snyder and Vier.  
ABSENT: Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 5-2

C20-79-015      Zoning Ordinance

Consider amendment to Section 45-14(e) and Section 45-29(a) of the Austin City Code, Zoning Ordinance, regarding fees for zoning and special permit applications as adopted by the City Council.

Sheila Finneran of the City Legal Department discussed the proposed ordinance that would amend Section 45-14(e) and Section 45-29(a) of the Austin City Code regarding fees for zoning and special permit applications as adopted by the City Council.

## COMMISSION VOTE

Mrs. Shipman moved and Mrs. Schechter seconded the motion to approve the ordinance amendment as recommended by staff.

AYE:        Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
ABSENT:    Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 7-0.

C7a-79-017      Annexation

Consider annexation of Silverstone Phase I, Sec. 1 and 2 and additional adjacent land

C7a-79-019      Annexation

Consider annexation of Cat Mountain North Section I and Far West Boulevard Street Dedication

## COMMISSION VOTE

Mr. Jagger moved and Mr. Snyder seconded the consent motion to approve the annexation of Silverstone Phase I, Section 1 and 2 and additional adjacent land as well as the annexation of Cat Mountain North Section I and Far West Boulevard Street dedication as recommended by the staff.

AYE:        Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
ABSENT:    Dixon and Guerrero.

THE CONSENT MOTION PASSED BY A VOTE OF 7-0.

C5-66-6      Housing and Construction  
 To consider amending the Glenn Oaks Urban  
 Renewal Plan to permit "C-1" District at  
 2334 Rosewood Avenue

Richard Lillie discussed a zoning case that had been heard by the Planning Commission that was in the Urban Renewal Area near the Austin Community College, a housing project, and an elementary school in East Austin. The request was for C-1 zoning that would permit a liquor store in a shopping center area that is designated in the Glen Oaks Urban Renewal project. The Planning Commission has recommended that the zoning not be approved. Subsequently the City Council did grant the zoning. In order for the use to be accomplished, the Urban Renewal Plan must be amended. The item for consideration at this time is consideration of an amendment to the Urban Renewal Plan that would allow this type of use to be located within a Business Zone.

COMMISSION VOTE

Mrs. Shipman stated the Planning Commission had voted unanimously to disapprove the zoning request and the land use changes surrounding this site have not changed since the decision was made, therefore, she moved that the amendment to the Urban Renewal Plan not be made. Mrs. Schechter seconded the motion.

AYE:            Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
 ABSENT:        Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 7-0.

C2-79-008      Roadway Plan  
 Consider the Proposed Roadway Plan  
 as it pertains to Parmer Lane

Mr. Lillie explained that the Planning Commission, on October 23, approved the Roadway Plan and postponed consideration of Parmer Lane to consider a request of Nash Phillips-Copus Company to amend the Master Plan to reduce the right-of-way requirements for Parmer Lane from 200 feet to 120 feet. The Planning Commission permitted the applicant to withdraw the request on November 13. Joe Ternus, Director of Urban Transportation Department, discussed the Parmer Lane requirements under the new Roadway Plan and recommended the proposal that had been submitted by the Urban Transportation Commission, which basically calls for 120 feet of right-of-way for Parmer Lane. He discussed Parmer Lane becoming a Farm-to Market project and stated he would support that proposal if it can come about but did not believe the taxpayers of the City of Austin should be paying for the extra right-of-way for either the County or the Highway Department to put in the roadway.

C2-79-008 Roadway Plan (continued)

## COMMISSION VOTE

Mr. Vier moved to recommend 120 feet minimum right-of-way as recommended by the Urban Transportation Commission for Parmer Lane. Mr. Snyder seconded the motion.

Mr. Snyder then moved that the Commission go on record that if the additional right-of-way of 200 feet is a feasible project, that the additional right-of-way over 120 feet is not a requirement of the City to purchase. Mrs. Schechter seconded the motion.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
 ABSENT: Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 7-0.

R200 Report from Legal Department  
 regarding Planning Commission  
 Agenda Items

NO ACTION TAKEN.

C1-79 Minutes  
 To Approve Planning Commission Minutes  
 October 23, 1979  
 November 6, 1979  
 November 7, 1979

The Planning Commission approved the minutes with corrections as noted.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
 ABSENT: Dixon and Guerrero.

THE MINUTES WERE APPROVED BY A VOTE OF 7-0.

SUBDIVISIONSPRELIMINARY SUBDIVISIONS

C8-77-07 Hills of Lost Creek (2nd Revision)  
 Quaker Ridge

A. Synopsis: Approve

C8-77-07 Hills of Lost Creek (continued)

The staff recommends approval of this revised preliminary plan. The original preliminary was filed and approved prior to the Barton Creek Moratorium.

B. Variances: None

C. Requirements:

This preliminary plan meets all City ordinances. Additional final stage requirements must be satisfied for final plat approval.

COMMISSION VOTE

Mrs. Shipman moved and Mrs. Schechter seconded the motion to approve the preliminary plat of the Hills of Lost Creek (2nd Revision) in accordance with staff recommendations.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
ABSENT: Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 7-0.

C8-78-108 The Davenport Ranch  
Loop 360 and West Lake Drive

A. Synopsis: Approve

The staff recommends approval of this preliminary providing the variances are approved as requested. This tract is within the Lake Austin Watershed and will comply with the preliminary requirements of the Lake Austin Interim Ordinance with the variances approved.

B. Variances:

1. Variance is requested on all cul-de-sacs exceeding 400 feet in length. (Sec. 41-31) Recommend: Grant, due to topography.
2. Variance is requested on all blocks exceeding 1200 feet in length. (Sec. 41-32) Recommend: Grant, due to topography.
3. Variance is requested to delete the sidewalks along Loop 360 on all cul-de-sac streets, one side of Westlake Drive and Toro Canyon Road (applicant agrees to construct a six-foot sidewalk on the other sides) and one side of Ridge Cross Drive. (Sec. 41-42) Recommend: Grant, due to topography and excessive street cut and fill requirements.

C8-78-108 The Davenport Ranch (continued)

4. Variance is requested on paving widths: 24 feet on residential cul-de-sacs with 10 lots or less, 26 feet on residential cul-de-sacs with 11 to 15 lots. (Sec. 41-35.3) Recommend: Grant, due to moderate density, topography, and Lake Austin Watershed provisions. (Engineering and Urban Transportation Departments concur.)

C. Requirements:

This preliminary plan meets all City ordinances. Additional final stage requirements must be satisfied prior to final plat approval.

Roy Bechtol explained the history of the tract and discussed the proposed development. Mr. Snyder asked and he agreed to submit a site plan on the commercial development as a condition of the final plat. Tom Mounts of the Engineering Department was present to discuss how the development would be handled in accordance with the Lake Austin Standards. Curtis Johnson, Director of Water and Wastewater Department, discussed the M.U.D. and also the possibility of the City providing services.

## COMMISSION VOTE

Mr. Vier moved approval of the preliminary plat of Davenport Ranch including approval of the variances as recommended by the staff. Mrs. Schechter seconded the motion. Mrs. Shipman explained she would vote against the subdivision since she did not feel development should be encouraged in the West Lake Peninsula; it is in violation of the Austin Tomorrow Comprehensive Plan and a disallocation of City resources for City water and wastewater to be supplied to this area. Mr. Jagger was of the opinion some of the basic decisions are not in the hands of the Planning Commission; they are confronted with a decision of whether or not it is a good plan. He felt it was a good plan.

AYE: Danze, Jagger, Schechter, Snyder, Stoll, and Vier.  
 NAY: Shipman.  
 ABSENT: Dixon and Guerrero.

THE MOTION PASSED BY A VOTE OF 6-1.

C8-79-36 Walnut Crossing, Sec. 5  
Duval Road

Walt Darbyshire explained the staff would recommend approval of the preliminary plan. Applicant has requested to withdraw the request for Variance No. 1 to delete both the sidewalk and fiscal requirement along Duval Road. The City staff is not requesting sidewalks. Staff would recommend to grant the two other variances.

C8-79-36 Walnut Crossing, Sec. 5 (continued)A. Variances:

1. A variance is requested to delete both the sidewalk and fiscal requirement along Duval Road. (Sec. 41-42) Recommend: deny, pending review by Urban Transportation and the Legal Office. The request for variance was received on November 19, 1979, and a response was not attainable for agenda preparation.
2. Variance is requested on the rejoinder of the adjoining property owner. Recommend: grant, the adjoining does not wish to join in the subdivision of the tract.
3. Variance is requested on the length of Block C. (Sec. 41-32) Recommend: grant, due to topography and existing development.

B. Requirements:

This preliminary plan meets all city ordinances. Additional final stage requirements must be satisfied prior to final plat approval.

Sheila Finneran of the City Legal Department explained the variances are not needed for the sidewalk. The City does not have the authority to require a plat note that would force the developer to build these sidewalks on existing boundary streets.

## COMMISSION VOTE

Mrs. Shipman moved approval of the preliminary plat of Walnut Crossing, Section 5, subject to staff requirements and recommendations granting the variances and noting that Item 1 has been deleted. Mrs. Schechter seconded the motion.

AYE:	Danze, Schechter, Shipman, Snyder, Stoll, and Vier.
ABSENT:	Dixon and Guerrero.
ABSTAINED:	Jagger.

THE MOTION PASSED BY A VOTE OF 6-0-1.

C8-79-98            Shady Hollow, Sec. 4  
                         Squirrel Hollow

A. Synopsis: Approve

The staff recommends approval of this preliminary plan. The conceptual plan and sidewalk variances were approved by the Planning Commission in December 19, 1978. This section complies with the conceptual plan.

B. Variances:

1. Variance is requested to depict lines of topography more than 100 feet apart in areas of flat terrain. (Sec. 41-11) Recommend: grant.

C8-79-98 Shady Hollow, Sec. 4 (continued)

2. Variance is requested on the length of Block "D". (Sec. 41-32) Recommend: grant, due to topography, existing waterway location, and low residential density.

C. Requirements:

This preliminary plan meets all city ordinances. Additional final stage requirements must be satisfied prior to final plat approval.

## COMMISSION VOTE

Mrs. Shipman moved and Mr. Danze seconded the consent motion to approve the preliminary plat of Shady Hollow, Section 4, in accordance with staff recommendations.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
ABSENT: Dixon and Guerrero.

THE CONSENT MOTION PASSED BY A VOTE OF 7-0.

C8-79-99 Shady Hollow, Sec. 3-A, Ph. 3  
Tolkien DriveA. Synopsis: Approve

The staff recommends approval of this preliminary plan. The conceptual plan for the Shady Hollow Subdivision and sidewalk variance were approved by the Planning Commission on December 19, 1978. This section complies with the conceptual plan.

B. Variances:

1. A variance is requested on the length of Block "D". (Sec. 41-32) Recommend: grant, due to topography.

C. Requirements:

This preliminary plan meets all city ordinances. Additional final stage requirements must be satisfied prior to final plat approval.

## COMMISSION VOTE

On a consent motion by Mrs. Shipman, seconded by Mr. Danze, the Planning Commission approved the preliminary plat of Shady Hollow, Sec. 3-A, Ph. 3 in accordance with staff recommendations.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
ABSENT: Dixon and Guerrero.

THE CONSENT MOTION PASSED BY A VOTE OF 7-0.

<sup>102</sup>  
C8-79-012      Onion Creek Section 5  
                    Pinehurst Drive

A. Synopsis: Approve

The staff recommends approval of this preliminary plan.

B. Variances:

- 1. Request variance on the length of Braemar Cove cul-de-sac. (Sec. 41-31)  
Recommend: grant, due to topography.
- 2. Request variance on the lengths of Blocks C and E. (Sec. 41-32) Recommend:  
grant, due to topography.

C. Requirements:

This preliminary plan meets all city ordinances. Additional final stage requirements must be satisfied prior to final plat approval.

COMMISSION VOTE

On a consent motion by Mrs. Shipman, seconded by Mr. Danze, the Commission approved the Preliminary Plat of Onion Creek Section 5 in accordance with staff recommendations.

- AYE:                    Danze, Jagger, Schechter, Shipman, Snyder, and Stoll.
- ABSENT:              Dixon and Guerrero.
- ABSTAINED:        Vier.

THE CONSENT MOTION PASSED BY A VOTE OF 6-0-1.

C8-79-105      Kimbrow Road Estates  
                    Old Kimbro Road

A. Synopsis: Approve

The staff recommends approval of this preliminary plan.

B. Variances:

- 1. Variance is requested to vary the scale from 1:100 to 1:200 on the preliminary and final plans. (Sec. 41-11) Recommend: grant, because of large lot and plat size.

C8-79-105 Kimbro Road Estates (continued)C. Requirements:

This preliminary plan meets all city ordinances. Additional final stage requirements must be satisfied prior to final plat approval.

## COMMISSION VOTE

On a consent motion by Mrs. Shipman, seconded by Mr. Danze, the Commission approved the preliminary plat of Kimbro Road Estates in accordance with staff recommendations.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
ABSENT: Dixon and Guerrero.

THE CONSENT MOTION PASSED BY A VOTE OF 7-0.

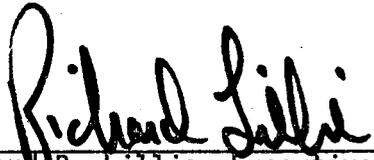
R105-79      Subdivision Memorandum  
Short Form and Final Subdivisions  
as listed on the Subdivision Memo-  
randum. Action to be taken at meeting.

The Planning Commission considered items listed on the Subdivision Memorandum and took action as indicated thereon.

AYE: Danze, Jagger, Schechter, Shipman, Snyder, Stoll, and Vier.  
ABSENT: Dixon and Guerrero.

THE MOTION WAS PASSED BY A VOTE OF 7-0.

The meeting adjourned at 9:15 p.m.

  
Richard R. Lillie, Executive Secretary





TYPE: SHORT FORM SUBDIVISIONS		PLANNING COMMISSION MEMORANDUM					DATE: November 27, 1979	PAGE: 3	
C8 s	SUBDIVISION	CITY	ZON- ING	ETJ	PROPOSED LAND USE	ACREAGE LOTS	VARIANCES STATUS	RECOMMENDATIONS	ACTION
	LOCATION								
2a.	R 109						PARTIAL VACATION	APPROVAL	
b.	C8s 79					1			
	186			X	Residential	1	COMPLETE	APPROVAL	
3a.	75						PARTIAL VACATION		
	81							APPROVAL	
b.	77		GR &			2.075			
	156	X	6th			1	COMPLETE	APPROVAL	
4a.	77						PARTIAL VACATION		
	135							APPROVAL	
b.	79					4.63			
	138	X	LR			6	COMPLETE	APPROVAL	
5.	79					0.7346	LOT WIDTH AND AREA - GRANTED Consider sewer charges	To GRANT variances, letters forwarded to Council 7-0	
	208	X	IA			3	INCOMPLETE	DISAPPROVAL	
6.	79					1.77			
	190	X	IAA			8	COMPLETE	APPROVAL	
7.	79					9 Lots	FOR CONSIDERATION - Fiscal-sewer, road construction to County Standards	To APPROVE subsequent confirmation procedure To GRANT variances 7-0	
	115			X	Residential	9 Lots	INCOMPLETE	DISAPPROVAL	
8.	79		D&1st C &			2.38	SIDEWALKS -	DENY	To deny variance 7-0
	220	X	2nd			1	INCOMPLETE	DISAPPROVAL	



TYPE: 30 DAY STATUTORY REVIEW		PLANNING COMMISSION MEMORANDUM						DATE: November 27, 1979	PAGE: 5
C8	SUBDIVISION	CITY	ZON- ING	ETJ	PROPOSED LAND USE	ACREAGE LOTS	VARIANCES	RECOMMENDATIONS	ACTION
	LOCATION PRELIMINARY						STATUS		
79 109	Northway Crest Section 5						INCOMPLETE	DISAPPROVAL	
79 110	Milwood Section 6						INCOMPLETE	DISAPPROVAL	
79 111	A.C.I. Industrial Park V						INCOMPLETE	DISAPPROVAL	
C8f	30 DAY STATUTORY REVIEW - FINALS								
79 126	Oak Hill Heights Section 3						INCOMPLETE	DISAPPROVAL	
79 127	Bluff Springs Estates						INCOMPLETE	DISAPPROVAL	
79 128	Shady Hollow Section 2-A, Phase 1						INCOMPLETE	DISAPPROVAL	
79 129	Lakeway Section Cluster 28 IV						INCOMPLETE	DISAPPROVAL	
79 130	Lakeway Section Cluster 28 II						INCOMPLETE	DISAPPROVAL	
79 131	Meadow Park, Section 1						INCOMPLETE	DISAPPROVAL	

